

## REMARKS

In the present application, claims 1-7, 9, and 11-22 were examined and rejected. In response, Applicants are submitting amendments and the following remarks. In view of the amendments and the following remarks, Applicants respectfully request reconsideration of the Application.

### Amendments to the Specification and Claims

Applicants maintain that prior amendments to the Application were made to reterm elements to more standard names used in the industry. Because the Examiner continues to have issue with this reterming, Applicants have essentially amended the specification back to the original specification language. In particular, the elements “insert 304” and “grommet 312” are amended back to their original terms.

Amendments are also made to the claims to conform the claim elements to the original specification term language. Thus, the elements “insert” and “grommet” are now being used to name elements as originally described in the specification.

### Rejection Under 35 U.S.C. §112

In paragraph 2 of the final Office Action, the Examiner rejected claims 1-7, 9, and 11-22 under 35 U.S.C. §112 as being indefinite for failing to comply with the written description requirement. In response, Applicants have retermed the claim elements to match the original language in the specification. That is, “locking stud body” has been amended back to an “insert,” and “insert” has been amended to “grommet.” Because both the “insert” (as originally used to name the element 304) and “grommet” were original disclosed in the specification as filed, Applicants contend that they have overcome the rejections under 35 U.S.C. §112, and request this rejection be withdrawn.

### Reiteration of Arguments Previously Made

In the Office Action of August 26, 2004, the Examiner rejected claims as being anticipated by *McCarty* (U.S. Patent No. 2,714,326). In response, Applicants pointed out that *McCarty* provides a supporting post (23) having an annular slot or groove (24) in the head portion (25) for receiving the component. The only conceivable way the component is positioned in the groove is by sliding a slotted component laterally into the groove. The head portion, which the Examiner contends is equivalent to the mounting stud of the present invention, cannot, in itself, hold the component in position. That is, a gap must exist between the head portion above and/or below the component and the component, itself, if the component is to be slid into the groove. Because of this gap, the head portion does not physically hold the component in position. For example, if the invention of *McCarty* is tilted, the component will fall out of the groove absent any other elements (i.e., with only the head portion present). In fact, FIG. 4 of *McCarty* shows that the tension of the strings along with the adjusting and string thrust supporting screws (28) need to be provided in order to hold the component in position. Therefore, the head portion of *McCarty* does not clamp the component in position as described and claimed by the present invention.

Furthermore, claim 1 requires that a mounting stud be positioned within (e.g., screwed into) an aperture of the locking stud body in order to hold the component in position between the mounting stud and a plate of the locking stud body; as such, the mounting stud is a separate element from the plate of the locking stud body. Firstly, the supporting post of *McCarty* does not comprise an aperture for receiving a mounting stud. Additionally, *McCarty* does not provide two distinct elements which in combination hold a component in position between the two elements, whereby one element can be positioned into the other element. Instead, *McCarty* only provides a single supporting post having elements the Examiner contends are equivalent to both the mounting stud and the plate of the present invention.

Anticipation under 35 U.S.C. § 102 requires the disclosure, in a single prior art reference, of each and every claim element of the claimed invention. See Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984). In view of the fact that *McCarty* fails to disclose or suggest the elements of claim 1 as discussed in the preceding paragraphs, the rejection of claim 1 as being anticipated by *McCarty* is respectfully traversed and Applicant requests the rejection be withdrawn. Because claims 2-7, 9, 11, and 21 depend either directly or indirectly from claim 1, these claims are also allowable over *McCarty* for the same reasons as presented for claim 1.

Claim 12 provides for “clamping the component in place between the plate and a mounting stud. As discussed with respect to claim 1, *McCarty* does not “clamp” a component between the plate and a mounting stud. The component is merely slid in-between elements the Examiner contends are equivalents to the plate and mounting stud of the present invention (i.e., a head portion of the supporting post). Because the component is slid into position, a space must exist between the “plate element” of *McCarty* and the component and/or the “mounting stud element” of *McCarty* and the component. Intuitively, if a space exists, the component is not clamped between the elements of *McCarty*. Therefore, claim 12 is not anticipated by *McCarty*. Further, because claims 13-16 and 22 depend from claim 12, these claims are also not anticipated for the same reasons as claim 12.

Claim 17 provides for “a mounting stud configured for clamping the component in position between the plate and the mounting stud.” As discussed with respect to claims 1 and 12, *McCarty* does not, and cannot, clamp a component between a plate and a mounting device. As such, claim 17 is not anticipated by *McCarty*. Furthermore, claims 18-20, which depend from claim 17, are not anticipated for the same reasons as claim 17.

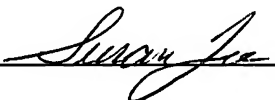
Applicants note that the Examiner did not provide any counter-arguments to these previously made arguments. As such, Applicants believe that claims 1-22 should be found allowable.

Based on these remarks, Applicants believe the final Office Action of February 28, 2005 has been responded to in full, and that claims 1-7, 9, and 11-22 are allowable. If Examiner has any questions regarding the case, Examiner is invited to contact Applicants' undersigned representative at the number given below.

Respectfully submitted,

Sharon C. Devereaux et al.

Date: August 29, 2005

By: 

Susan Yee  
Carr & Ferrell LLP  
2200 Geng Road  
Palo Alto, CA 95054  
Phone: (650) 812-3400  
Fax: (650) 812-3444